



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty Pape, Jeffrey B., of Pape & Shewan (for Petitioner Valerie Vasquez, Trustee)

Third Account and Report by Valerie Vasquez, Trustee; Petition for Settlement; Approval and Allowance of Trustee's and Attorneys' Fees [Prob. C. 17350; 17352]

Age: 15 years		VALERIE VASQUEZ , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need original bank account statements as of the close of accounting period pursuant to Probate Code § 2620(c). ~Please see additional page~
		Account period: 6/1/2010 – 5/31/2012	
		Accounting - \$176,352.60	
		Beginning POH - \$145,211.77	
		Ending POH - \$151,815.63 (\$6,767.53 is cash)	
Cont. from		Trustee - \$1,000.00 (less than .05% of value of assets as authorized)	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney - \$2,000.00 (per Declaration and itemization at Exhibit B; less than itemized fees of \$3,569.50 for 12.10 hours @ \$295/hour;)	
<input checked="" type="checkbox"/>	Verified	Costs - \$200.00 (filing fee)	
<input type="checkbox"/>	Inventory	Bond - \$147,100.00	
<input type="checkbox"/>	PTC	Petitioner states:	
<input type="checkbox"/>	Not.Cred.	<ul style="list-style-type: none"> This Trust was created pursuant to the Order of the Superior Court of San Bernardino County dated 4/27/2007; the Trust Beneficiary suffers from a disability that substantially impairs her ability to provide for her own care and constitutes a substantial handicap; 	
<input checked="" type="checkbox"/>	Notice of Hrg	<ul style="list-style-type: none"> Petitioner was appointed Trustee under the Order dated 4/27/2007; 	
<input checked="" type="checkbox"/>	Aff.Mail W/	<ul style="list-style-type: none"> On 12/12/2008, the San Bernardino County Superior Court entered an order directing administration of the Trust to be in the Superior Court of Fresno County; 	
<input type="checkbox"/>	Aff.Pub.	<ul style="list-style-type: none"> Pursuant to the Order entered on 4/27/2007, the Trustee is entitled to receive an annual fee of 0.5% of the assets of the Trust (~\$7,000/year); however, Trustee requests \$1,000.00 for this account period. 	
<input type="checkbox"/>	Sp.Ntc.	~Please see additional page~	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	2620 X		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: LEG

Reviewed on:
6/11/13

Updates:

Recommendation:

File 1 – Moreno

Petitioner prays for an Order:

1. Approving, allowing and settling the Third Account and Report;
2. Approving all acts and transactions of the Trustee as shown by this account and report;
3. Authorizing the Trustee commissions and Attorney fees;
4. Authorizing reimbursement to attorney of costs advanced.

NEEDS/PROBLEMS/COMMENTS, continued:**Notes for background:**

- The SNT assets include a 1/3 interest in real property residence in Sanger valued at **\$117,000.00**, the purchase of which was authorized by the Trust terms. *Schedule C, Disbursements* entries consist largely of payments for homeowner's insurance, electricity and utilities, and property taxes. *Supplemental Declaration of Jeffrey Pape* filed on 7/18/2011 provides information concerning the circumstances related to the acquisition of the residence, stating the Trust was established pursuant to a minor's compromise claim in a wrongful death action arising from the death of the mother of Mia Moreno and Mia's two siblings; an annuity in the approximate sum of **\$550,000.00** each was purchased for each of the three minors, the sum of **\$350,000.00** was used to purchase a home for the three minors (each owning a 1/3 interest), and the sum of **\$152,000.00** was used to purchase an annuity made payable to the Mia Moreno SNT to provide monies to pay for all ongoing expenses of the residence during the three minors' minority. SNT assets also include window coverings, furniture and refrigerator for the residence.
- The SNT assets include a Toyota Sienna automobile valued at **\$20,000.00**. Petitioner requested and was granted by this Court at the time of the Second Account the authority to purchase a van for Mia to be used by Mia's grandmother, **GLORIA CUEVAS**, with whom Mia and her siblings live, in order to transport Mia to school, medical appointments, rehabilitation, and related trips.

Note: If petition is granted, Court will set status hearing as follows:

- **Friday, August 21, 2015 at 9:00 a.m. in Dept. 303** for filing of the fourth account.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

(1) First and Final Account and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and her Attorney and (3) Distribution

DOD: 12/17/12		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 05/25/12 – 12/17/12	
		Accounting - \$1,011,552.14	
		Beginning POH - \$974,151.40	
		Ending POH - \$953,180.23	
Cont. from		Subsequent Account period: 12/18/12 – 01/31/13	
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$959,778.77	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$953,180.23	
<input type="checkbox"/>	Inventory	Ending POH - \$943,277.54	
<input type="checkbox"/>	PTC	Conservator - \$11,033.32 (39.79 staff hours @ \$76/hr. and 83.43 Deputy hours @ \$96/hr.)	
<input type="checkbox"/>	Not.Cred.	Attorney - \$2,500.00 (per Local Rule)	
<input checked="" type="checkbox"/>	Notice of Hrg	Bond Fee - \$1,189.76 (ok)	
<input checked="" type="checkbox"/>	Aff.Mail	Costs - \$1,104.00 (for filing fees and certified copies)	
<input type="checkbox"/>	Aff.Pub.	Petitioner requests authority to distribute the remaining cash on hand - \$157,219.67, and all non-cash assets to the Stanley Merk and Patricia Bova, Co-Executors of the Estate.	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 06/11/13
Updates:
Recommendation:
File 2 – Merk

Atty Mortimer, Steven R., of Mortimer & Benitez (for Petitioner Darryl Vannucchi)

Petition for Order Determining Title to Real Property [Prob. C. 17200.0, 850 et seq.]

			NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 7/1/2013 Per Attorney request
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>	
<input type="checkbox"/>	Verified	<input type="checkbox"/>	
<input type="checkbox"/>	Inventory	<input type="checkbox"/>	
<input type="checkbox"/>	PTC	<input type="checkbox"/>	
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>	
<input type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>	
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>	
<input type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>	
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>	
<input type="checkbox"/>	Letters	<input type="checkbox"/>	
<input type="checkbox"/>	Duties/Supp	<input type="checkbox"/>	
<input type="checkbox"/>	Objections	<input type="checkbox"/>	
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>	
<input type="checkbox"/>	CI Report	<input type="checkbox"/>	
<input type="checkbox"/>	9202	<input type="checkbox"/>	
<input type="checkbox"/>	Order	<input type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>	
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>	
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>	
<input type="checkbox"/>	Citation	<input type="checkbox"/>	
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>	
			Reviewed by: LEG
			Reviewed on: 6/11/13
			Updates:
			Recommendation:
			File 4 – Vannucchi

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 3/15/2013		JOHNNY PATRICK WEST , named alternate Executor without bond, is petitioner. Full IAEA – o.k. Will dated: 12/23/1999 Residence: Fresno Publication: Fresno Business Journal <u>Estimated value of the estate:</u> Personal property - \$169,000.00 Annual income - \$ 500.00 Real property - \$ 50,000.00 Total - \$219,500.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. #8 of the Petition does not list the Petitioner's relationship to the decedent as required. 2. Proposed personal representative is a resident of Texas. Probate Code §8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT Reviewed on: 6/11/2013 Updates: Recommendation: File 5 – McInturff	

Petition for Transfer

Age: 42 years		PATRICIA PADILLA , mother, was appointed conservator on 7/10/1992.	NEEDS/PROBLEMS/COMMENTS:
		Court Investigator JULIE NEGRETE filed a Petition for Transfer on 5/8/2013 requesting this proceeding be transferred to Tulare County because the conservatee has resided there since 2006, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.	If the petition is granted a status hearing will be set on August 16, 2013 at 9:00 a.m. in Dept. 303 for the confirmation of the receipt for transfer.
Cont. from		Court Investigator further recommends that the fees and costs related to this transfer be waived.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/11/13
			Updates:
			Recommendation:
			File 7 – Mendoza

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

Age:			NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Order on Final Distribution on Waiver of Account filed 04/10/13</p>	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: JF Reviewed on: 06/11/13 Updates: Recommendation: File 9 – Turner

10 Rick Gerald Smith III (GUARD/P)
 Atty Smith, Marlene (pro per – paternal grandmother/Petitioner)
 Atty Smith, Rick (pro per – paternal grandfather/Petitioner)

Case No. 13CEPR00311

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10		<p align="center"><u>TEMPORARY EXPIRES 06/17/13</u></p> <p>RICK SMITH and MARLENE SMITH, paternal grandparents, are Petitioners.</p> <p>Father: RICK G. SMITH, JR. – <i>Consent & Waiver of Notice filed 04/16/13</i></p> <p>Mother: CLAUDIA E. RIVERA SMITH – <i>Consent & Waiver of Notice filed 04/25/13</i></p> <p>Maternal grandfather: UNKNOWN Maternal grandmother: CARMEN RIVERA – <i>Consent & Waiver of Notice filed 04/16/13</i></p> <p>Petitioners allege that the minor's mother dropped him off with his father on 03/23/13 and has not returned. She moved to Los Angeles to live with her boyfriend. Petitioners state that the minor has lived with them the majority of his life, but his mother removed him from their home in October 2012. Since then, his grades have declined and the mother has not followed through with medical treatment.</p> <p>Court Investigator Samantha Henson filed a report on 06/10/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Maternal grandfather 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			n/a
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
✓	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF
Reviewed on: 06/11/13
Updates:
Recommendation:
File 10 – Smith